

Document No. 3073
Adopted at Meeting of 4/ 3/75
BOSTON REDEVELOPMENT AUTHORITY

REPORT AND DECISION ON THE APPLICATION OF THE CHARLESTOWN
SAVINGS BANK FOR THE AUTHORIZATION AND APPROVAL OF A
PROJECT UNDER MASSACHUSETTS GENERAL LAWS (TER.ED.), AS
AMENDED, AND CHAPTER 652 OF THE ACTS OF 1960 TO BE
UNDERTAKEN AND CARRIED OUT BY THE APPLICANT
A MUTUAL SAVINGS BANK ORGANIZED UNDER MASSACHUSETTS
GENERAL LAWS

A. The Hearing - A public hearing was held at 2:00 P.M. on March 20, 1975, in the offices of the Boston Redevelopment Authority, (hereinafter called the "Authority"), at the New City Hall, Room 921, Boston, Massachusetts, by the Authority on an Application, (hereinafter called the "Application"), filed by the Charlestown Savings Bank, (which savings bank within the meaning of Section 18A of said Chapter 121A is hereinafter referred to as the "Applicant"), for Authorization and Approval of a Redevelopment Project under "Chapter 121A of the General Laws of the Commonwealth of Massachusetts and Chapter 652 of the Acts of 1960, as amended (hereinafter called the "Project")", due notice of said hearing having been given previously by publication on March 4, 1975, and March 11, 1975 in the Boston Herald American, a daily newspaper of general circulation published in Boston, and mailing postage prepaid in accordance with Rule 8 of the Rules and Regulations of the Authority for Securing the Approval of Chapter 121A Projects, and in accordance with the provisions of Section 13, of Chapter 13 of Chapter 652 of the Acts of 1960, as amended, Robert L. Farrell, Chairman of the Authority, and James G. Colbert, Paul J. Burns and James K. Flaherty, members of the Authority, were present throughout the hearing.

B. The Project - The Project consists of the construction, landscaping, maintenance and management by the Applicants of structures and improvements listed hereinbelow, on a tract of land bounded by Summer, Chauncy and Kingston Streets. Said premises are shown on a plan, attached as Exhibit B to the Application. The premises are hereinafter referred to as the "Project Area". The following structures and

facilities are proposed to be constructed thereon:

1.) An office building of approximately ten (10) stories, containing approximately 120,000 square feet. Five floors of the building including the basement and first floor will be used by the Applicant as its main Banking facility, and the remaining floors will be initially rented to commercial tenants.

2.) A plaza area will be constructed at the Summer and Chauncy Street intersection which should improve pedestrian traffic flow, create an improved atmosphere of light and air, and correspond with the wide sidewalks of Jordan Marsh Co. across the street.

3.) Trucking facilities will be designed so that loading and unloading operations will not impede traffic flow on adjoining public streets.

C. Authority Action - Before making the findings and determinations hereinbelow set forth and approving the Application; the Authority has considered the Application itself, all documents, plans and exhibits filed with or referred to in it, the model of the project displayed at the hearing, the oral evidence presented at the hearing, the Exhibits offered in evidence at the hearing and the arguments and statements made at the hearing. The members of the Authority are also personally familiar with the Project Area and surrounding neighborhood.

D. Project Area-Blighted, Open, Decadent Area - The Authority does hereby find that the Project Area constitutes a blighted, open and decadent area for the following reasons:

1.) The Project Area is within an area described in the Central Business District Urban Renewal Plan as developed by the Authority both in a 1965 Application for Early Land Acquisition and a 1967 Part I Application for Loan and Grant to the federal government. While the applications were not approved for federal funding, they were approved by the Authority and the City Council, and include findings, that the Central Business District, of which the Project Area is a part, is a blighted, deteriorated

or deteriorating area. These findings are based upon the facts that the Central Business District is overcrowded, containing; incompatible and detrimental land uses which impede modern development; obsolete buildings, many of which are deficient and substandard; deficient streets for vehicular traffic; inadequate walkways for pedestrian traffic and inadequate utilities. The planning objectives of the area in which the Project Area is located called for improvements of pedestrian and vehicular traffic and opportunities for development of new commercial facilities.

2.) Without the assistance provided under Chapter 121A, the Project, as proposed could not be completed through the ordinary operations of private business enterprise because of the blighted open and decadent area, the small site and the unusually high cost of construction.

3.) When the Application was filed with the Authority, the Project Area constituted two parcels. One parcel was a vacant parking lot, which being predominately open, constituted a blighted open area. The site was too small and awkwardley shaped for development. Construction on the parking lot site would be unduly costly because of the necessity of underpinning and supporting walls of abutting properties. The parking lot was unsightly and generated noise and air pollution, thereby being detrimental to the safety, health, welfare and sould growth of the adjacent areas.

Construction costs for the Project Area are excessive because the party walls serving abutting buildings encroach the Project Area and several of the walls must be extensively underpinned at great cost to prevent subsidence of adjacent buildings. Also, the amount of vehicular and pedestrian traffic and absence of on-site storage increase the cost of construction. In addition, the small site, height restrictions and requirements to build a plaza at Summer and Chauncy

Street necessitate a small building, thereby increasing per square foot costs.

4.) The remaining portion of the Project Area contained the main banking facility of the Applicant. The building was over one hundred years old, obsolete and inefficient to a degree that restoration and remodeling was economically infeasible. The building, with its high ceilings, had excessive heating costs, lacked central air conditioning and modern plumbing and heating systems. This inefficient building has been torned down and existing conditions which include irregular lot sizes and obsolete street patterns make it improbable that the area would be redeveloped by ordinary operations of private enterprise. Summer Street easterly of the site has been in a rapidly accelerating state of decline for many years, with obsolete buildings containing retail uses on the ground floor and to a great extent vacant above. The Kingston Street area is in further decline, most of it having been cleared for parking, what is left is predominately vacant or blighted. Chauncy Street is the back door and service entrance of Jordan Marsh. Summer Street is made up of very small lots on the narrow ends of the city block and acquisition of the Project Area is unduly expensive.

In view of the foregoing, the Authority finds that the Project, constitutes a Project within the meaning of Section I of Chapter 121A of the General Laws, providing as it does for the construction in a blighted open, an decadent area of a decent, safe and sanitary commercial building and appurtenant facilities as shall be in the public interest, and the operation and maintenance of such building and facilities after construction.

There are conditions which warrant the carrying out of the Project. The purposes of said Chapter 121A and said Chapter 652 will be met. It will involve the construction of a modern office building in an area of the City recognized as deteriorated or deteriorating. The building will help prevent the spread of

blight in the area and help restore the deteriorating area to a sound condition. The building will be a decent, safe and sanitary structure consistent with other efforts in the area to improve the character of the downtown commercial and retail area. A portion of the site will be devoted to improve the traffic flow at the Chauncy-Summer Street intersections. In addition, a plaza will be constructed at the intersection to improve pedestrian traffic flow. By removal of blight and decadence, the Project is expected to act as an incentive to the sound growth and redevelopment of the area in vicinity of the Project Area.

The Project will provide a substantial financial return to the City, which is in excess of the amount presently coming to the City from the Project Area. Exhibit F of the Application, sets forth the amounts to be paid by agreement with the City of Boston in addition to the excise prescribed in Section 10 of Chapter 121A. In summary, the Applicant will pay the amount determined as hereinafter set forth exceeds the excise payable under Section 10, (i) 1975 - \$190,000, (ii) 1976 - \$250,000. (iii) 1977 - \$265,000 or 23% of gross income of the project, whichever is greater, (iv) Calendar year 1978 and each year thereafter during the balance of said (40) - 23% of the gross income of the project as defined in the Application for each year.

Exhibit F of the Application is attached only for illustrative purposes. The contract concerning the tax arrangement for the Project is between the City and the Applicant. Approval of this Report and Decision does not bind the Authority, the City or the Applicant to the terms or conditions of Exhibit F.

E. Cost of the Project - In the opinion of the Authority the cost of the Project has been realistically estimated in the Application and the Project is practicable at an estimated total development cost of \$9,000,000. The Project is practicable in that the Project Area is already owned by the Applicants. The entire cost of construction of the buildings and improvements is proposed to be paid by the Applicants with its own funds, or at its election, by construction or permanent financing provided by other institutional lenders. The Authority believes that the Applicant is able to financially carry out the Project.

F. Consistency with Master Plan - The Project does not conflict with the Master Plan

of the City of Boston, which places the Project Area in a General Business District, and allows the kind of building and uses proposed.

G. Effect of the Project - The Project will not be in any way detrimental to the best interests of the public or the City or to the public safety or convenience or be inconsistent with the most suitable development of the City. The Project will constitute a public use and benefit. The structure to be erected under the Project is an attractive and efficiently designed building, with ample light and air and appurtenant spaces, and will enhance the general appearance of the area. The design of the Project has been reviewed and approved by the Design Review Staff of the Authority.

The Project Area does not include land within any location approved by the State Department of Public Works for the extension of the Massachusetts Turnpike into the City of Boston.

The carrying out of the Project will not or itself involve the destruction of buildings occupied in whole or in part as dwellings. The structure demolished was the commercial banking facility of the Applicant.

The carrying out of the Project will not require the erection, maintenance and use of a garage within 500 feet of one or more buildings occupied in whole or in part as a public or private school having more than 50 pupils, or as a public or private hospital having more than 25 beds, or as a church.

The Project does not involve the construction of units which constitute a single building or a type which could be considered as a separate building under the Boston Building Code and the Zoning Law for the purposes of Chapter 138 of the General Laws.

H. Environmental Considerations - Conformably with the provisions of Section 62 of Chapter 30 of the General Laws (as inserted by Chapter 781 of the Acts of 1972), and the Regulations thereunder as adopted by the Authority on April 11, 1974, the Authority has made an environmental examination which contains, among others, the

following findings:

1.) The Project is not near a recreational area, and does not adversely affect any aesthetic values in the surrounding area.

2.) There are no unique natural or man made features affected by the Project.

3.) There are no archaeological structures or sites in the Project Area.

4.) There no scarce natural resources in the Project Area.

5.) No endangered wildlife, or fish exist in the Project Area.

6.) There are no fish, wildlife or plants in the Project Area.

7.) Being urban, the Project has no impact or any wilderness areas.

8.) The Project will require deviations from the Zoning Code of the City of Boston as further detailed herein, but not in such manner as will cause damage to the environment.

9.) The Project does not require certification, authorization or issuance of permit by any local, state or federal environmental control agency.

10.) The Project does not involve the disposal of potentially hazardous materials.

11.) The Project does not involve the construction of facilities in a flood plain.

12.) The Project, except necessarily during construction, will not result in the generation of a significant amount of noise, or dust.

13.) The Project does not affect an area of important scenic value.

Therefore the Authority concludes that the Project will not cause any environmental damage and in its opinion no further reports need to be filed as a result of investigation and report of the Authority staff and of its own knowledge. The Authority further finds that other than publication of a notice in conformity with the rules and regulations adopted by the Authority no other action must be taken. The Authority hereby determines that the Project will not cause any significant environmental damage.

I. Minimum Standards - The minimum standards for financing, construction, operation and maintenance of the Project, set forth in Exhibit D, filed with and attached to the Application; are hereby adopted and imposed as rules and regulations applicable to this Project for the same period as the Project is subject to the provisions of said Chapter 121A and said Chapter 652.

J. Zoning Deviations - Exhibit E filed with and attached to the Application lists the Zoning Deviations. For the reasons set forth in the Application and supporting Documents, including said Exhibit E, and on the basis of the evidence presented at the Hearing, and in this Report, the Authority hereby finds that each and every one of the permissions hereinafter granted is reasonably necessary for the carrying out of the total Project and may be granted without substantially derogating from the intent and purposes of the applicable Laws, Codes, Ordinances and Regulations respectively.

In summary, the Zoning Deviations from which permission is sought, are as follows:

1. Variance of parapet setback requirement of Article 21 of the Boston Zoning Code which variance is necessitated by the shape of the Project Area and the architectural and city planning restraints necessitating placement of the building close to the intersection of Chauncy and Summer Street.

2. Conditional Use permit under Sections 3-1 and 6-3A of the Boston Zoning Code for construction and use of a surface parking lot as shown on the plans filed with this application. The proposed parking lot will replace the existing parking spaces, but the number of cars which can be accommodated will be reduced from about 100 to 12. Because of the major reduction in the parking spaces, traffic flow in the area is expected to improve substantially.

While Exhibit E, as submitted with the Application included the request to deviate from several Building Codes, this request was withdrawn by the Applicant in that the Project has now been so designed that no deviations from any building law, code, ordinance or regulation are required.

The Authority hereby finds that the Application and the Project conform to and comply with each and every applicable requirement of Chapter 121A of the General Laws (Ter. Ed.), as amended, Chapter 652 of the Acts of 1960, as amended, and the applicable Rules and Regulations of the Authority; and the Authority, for these reasons and for the reasons set forth in the Application and supporting documents, and the evidence presented at the Hearing, and in this Report, and in the materials referred to in this Report, hereby approves the Application and Project, as requested in the Application.

MEMORANDUM

APRIL 3, 1975

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: ROBERT T. KENNEY, DIRECTOR

SUBJECT: CHARLESTOWN SAVINGS BANK
APPROVAL OF 121A REPORT AND DECISION WITH STATEMENT OF
NO SIGNIFICANT ENVIRONMENTAL IMPACT

3073

On March 20, 1975, a public hearing was held for the authorization and approval of a redevelopment project pursuant to Chapter 121A of the General Laws of Massachusetts.

The Applicant sought consent for the approval of a Project which would include the construction of a 10-story office building containing approximately 120,000 square feet. The project will also provide a Plaza at Chauncy and Summer Streets.

Included in the Report and Decision is the explanation that while Exhibit E as submitted with the Application included the request to deviate from several building codes, this request was rescinded by the Applicant because the Project has been designed so that no deviations from any building law code, ordinance or regulation are required.

The Authority has also made inquiry into the Environmental Impact of the Project pursuant to Sections 61 and 62 of Chapter 30 of the Massachusetts General Laws. The proposal of the Charlestown Savings Bank has thus been examined both as to its Environmental Impact and as to its compliance with 121A criteria and is found fully acceptable.

It is therefore appropriate at this time that the Authority adopt the Report and Decision for the Charlestown Savings Bank and approve the Project as having no significant Environmental Impact.

An appropriate Vote is attached.

Attachment

